IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

WRIT PETITION NO.874 OF 2007

Rajiv M. Mishra. ...Petitioner.
Vs.
President/Chairman, Kandivali
Education Society & Ors. ...Respondents.
....
Mr.R. S. Apte with Mr. M. V. Limaye for the Petitioner.
Mr. P. N. Shastri for Respondent Nos.1 to 3.
Mr. P.M. Mokashi, AGP for Respondent Nos.4 and 5.
.....

CORAM : SWATANTER KUMAR, C.J. &
DR.D.Y.CHANDRACHUD, J.

August 6, 2007.

P.C. :

Learned Counsel appearing for the parties, during the course of hearing submitted the following Minutes of the Order:

"1. The Respondent No.3 will forward the proposal of

Petitioner as a full time teacher w.e.f. Academic Year 2003-2004 and the Respondent No.4 will grant approval as a full time teacher for Academic Year 2006-2007 and 2007-2008 in light of Affidavit filed by Respondent No.4. The Respondent No.4 will consider the proposal of Petitioner as a full time teacher for Academic Years 2003-2004, 2004-2005, 2005-2006 and pass a reasoned order.

2. The Petitioner will be entitled to all consequential benefits, including seniority and other benefits from initial date of appointment.

3. Petitioner's services will be considered as a full time permanent teacher from the initial date of appointment.

4. All rights and contentions of the parties shall be kept open."

After hearing Counsel for the parties and particularly Counsel appearing for the Society that they should not be bound to recommend the case of the Petitioner for all the periods in question, that is commencing from 2003-2004 and they should be given liberty to take their decision in accordance with the Rules. With that modification, the Minutes of the Order are recorded. The Writ Petition is disposed of in those terms. The Respondents are at liberty to pass

appropriate order upon appropriate recommendations being made by the Society.

CHIEF JUSTICE

Dr.D.Y. CHANDRACHUD, J.